

IMPORTANT CONFIDENTIALITY NOTICE

The documents accompanying this telecopy transmission contain confidential information belonging to the sender which is legally protected. The information is intended only for the use of the individual or entity named below. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone (collect) to arrange for return of the telecopied document to us.

**RECEIVED
CENTRAL FAX CENTER**

MAY 19 2006

TO: Mail Stop Appeal Brief - Patents

Commissioner for Patents
United States Patent and Trademark Office
Fax No. (571) 273-8300
Phone No. (571) 272-1493

FROM: Ineke Sweeney (Typed or printed name of person signing Certificate)

Fax No. 513-634-3612

Phone No. 513-634-4277

Application No.: 10/673,659

Inventor(s): Stelljes, Jr., et al.

Filed: September 29, 2003

Docket No.: 9372

Confirmation No.: 2454

FACSIMILE TRANSMITTAL SHEET AND
CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on May 19, 2006, to the above-identified facsimile number.

Ineke Sweeney (Signature)

Listed below are the item(s) being submitted with this Certificate of Transmission:**

- 1) Reply to Notice of Non-Compliant Appeal Brief
- 2)
- 3)

Number of Pages Including this Page: 6

Comments:

**Note: Each paper must have its own certificate of transmission, OR this certificate must identify each submitted paper.
(FAX-USPTO.doc Revised 11/18/2005)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: : 10/673,659
 Applicants : Stelljes, Jr., et al.
 Filed : September 29, 2003
 Title : EMBOSSING MULTI-PLY FIBROUS
 STRUCTURE PRODUCT AND PROCESS
 FOR MAKING SAME
 TC/A.U. : 1774
 Examiner : D. J. Loney
 Conf. No. : 2454
 Docket No. : 9372
 Customer No. : 27752

RECEIVED
CENTRAL FAX CENTER
MAY 19 2006

REPLY TO NOTICE OF NON-COMPLIANT APPEAL BRIEF UNDER 37 CFR 41/37

Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Communication dated May 16, 2006 (copy enclosed), which states that Applicants' Appeal Brief filed on February 21, 2006 is considered non-compliant since the Brief does not contain new heading sections Evidence Appendix and Related Proceeding Appendix.

Applicants apologize for any inconvenience this omission may have caused the Office and enclose herewith the missing heading sections which, together with the aforementioned Appeal Brief filed on February 21, 2006, now constitute a complete filing of the Appeal Brief.

Respectfully submitted,
 THE PROCTER & GAMBLE COMPANY.

By Betty J. Zea
 Betty J. Zea
 Attorney for Applicants
 Registration No. 36,069
 (513) 634-5392

May 19, 2006
 Customer No. 27752

5-19-06; 11:36AM:

MAY-19-2006 09:16

CENTRAL DOCKETING



UNITED STATES PATENT AND TRADEMARK OFFICE

513 634 3612

3 / 6

513 634 0818 P.01/02

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,659	09/29/2003	Michael Gomer Steljes JR.	9372	2454
27752	7590	05/16/2006	EXAMINER	
THE PROCTER & GAMBLE COMPANY INTELLECTUAL PROPERTY DIVISION WINTON HILL TECHNICAL CENTER - BOX 161 6110 CENTER HILL AVENUE CINCINNATI, OH 45224			ART UNIT	PAPER NUMBER
DATE MAILED: 05/16/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

CENTRAL DOCKETING	
DATE REC'D: MAY 18 2006	
ATTY/A&T CONTACT: <i>PMH/CS</i>	
<input checked="" type="checkbox"/> FAX	<input checked="" type="checkbox"/> EMAIL
<input type="checkbox"/> FILE	

PTO-90C (Rev. 10/03)

Notification of Non-Compliant Appeal Brief (37 CFR 41.37)	Application No.	Applicant(s)
	10/673,659	STELLJES ET AL.
	Examiner Donald Loney	Art Unit 1772

-The MAILING DATE of this communication appears on the cover sheet with the correspondence address-

The Appeal Brief filed on 21 February 2006 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file an amended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.**

1. The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(ii)).
3. At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) Identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5. The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6. The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner and relied upon by appellant in the appeal, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9. The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
10. Other (including any explanation in support of the above items):

The Brief does not contain the new heading sections: Evidence Appendix and Related Proceedings Appendix.

Donald Loney
Primary Examiner
Art Unit: 1772

Appl. No. 10/673,659
Atty. Docket No. 9372
Appeal Brief dated February 21, 2006
Reply to Office Action of November 3, 2005
Customer No. 27752

EVIDENCE APPENDIX

Appl. No. 10/673,659
Atty. Docket No. 9372
Appeal Brief dated February 21, 2006
Reply to Office Action of November 3, 2005
Customer No. 27752

RELATED PROCEEDINGS APPENDIX